IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

SATURDAY, THE 18TH AUGUST 2007 / 27TH SRAVANA 1929

WP(C).No. 9558 of 2007(K)

PETITIONER:

KAMALAKSHIAMMA, D/O.KUNCHIAMMA,
AGED 73 YEARS, CHATHAPPURA HOUSE,
NAYATHODU KARA, NAYATHODE P.O., ANGAMALY.

BY ADV. SRI.M.C.ANTONY

RESPONDENTS:
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1. **ANIL, S/O.KAMALAKSHIAMMA,**
   CHATHAPPURA HOUSE, NAYATHODU KARA,
   NAYATHODE P.O., ANGAMALY.

2. **SANGEETHA, W/O.ANIL,**
   CHATHAPPURA HOUSE, NAYATHODU KARA,
   NAYATHODE P.O., ANGAMALY.

3. **THE CIRCLE INSPECTOR OF POLICE,**
   ANGAMALY.

4. **SUB INSPECTOR OF POLICE, ANGAMALY**
   POLICE STATION, ANGAMALY.

BY ADV. SRI.C.MURALIKRISHNAN (PAYYANUR)
BY GOVERNMENT PLEADER SRI.SALIM P.A.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.9538/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE TEMPORARY INJUNCTION ORDER DT. 23.1.06 IN IA.91/06 IN CS 14/06 OF THE MUNSIFF, ALUVA.

EXT.P2:- COPY OF THE ORDER DT. 3.3.06 OF THE MUNSIFF COURT, ALUVA.

EXT.P3:- COPY OF THE PETITION DT. 9.1.06 SUBMITTED BY THE PETITIONER.

EXT.P4:- COPY OF THE PETITION DT. 31.1.07 SUBMITTED BY THE PETITIONER , ALONG WITH RECEIPT ISSUED BY THE 3RD RESPONDENT .

/TRUE COPY/

P.S. TO JUDGE

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K.BALAKRISHNAN NAIR &
HARUN-UL-RASHID, JJ.

W.P.(C) No. 9558 of 2007-K

Dated 18th August, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner has approached this Court, seeking the following reliefs:

> "(i) call for the records relating to this case.
>
> (ii) issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondents 3 and 4 to give adequate and effective police protection to the life and property of the petitioner and her son Balakrishnan, without any interference by respondents 1 and 2 and their men.
>
> (iii) issue a writ of mandamus or any other appropriate writ, order or direction, commanding the respondents 1 and 2 not to enter into and commit any wrongful act in the petitioner's house and property and not indulge in any acts which endanger the life of the petitioner and to restrain from their attempt of torturing the petitioner."

This Court on 21.3.2007issued an interim direction to the police to see that law and order is maintained and the lives of both the parties are not endangered.

2. The petitioner is the mother of the 1st respondent. The 2nd respondent is the wife of the 1st respondent. There is some civil dispute

concerning partition of certain items of properties. The same has to be resolved by the competent civil court. Both the parties submit, a civil suit is pending before the competent civil court. In view of the above position, we dispose of the writ petition, making the above said interim order absolute, without saying anything on the merits of the claims put forward by both sides.

K. BALAKRISHNAN NAIR,JUDGE.

HARUN-UL-RASHID,JUDGE.

nm.